

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/542,983  
 Filed: July 21, 2005  
 Inventor(s):  
 Horst G. Zerbe

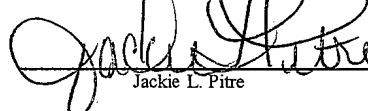
§  
 § Examiner: Ahmed, H.  
 § Art Unit: 1618  
 § Atty. Dkt. No: 6165-10702  
 § Confirmation No: 7824  
 §  
 §  
 §  
 §  
 §  
 §  
 §  
 §

Title: ORAL DOSAGE  
 FORMULATION

CERTIFICATE OF ELECTRONIC TRANSMISSION  
 UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: June 13, 2009

I hereby certify that this correspondence is being deposited with  
 the United States Patent Office electronic filing system on the  
 date indicated above

  
 Jackie L. Pitre

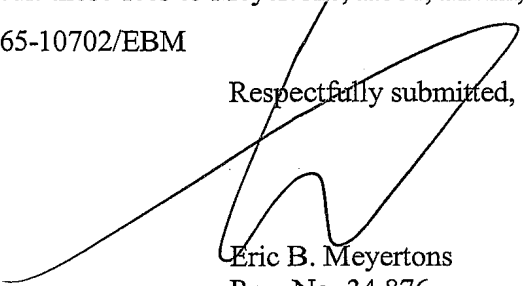
**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

ATTN: BOX AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 23, 2008, finally rejecting the pending claims. A fee authorization (via EFS-Web) including the fee for filing this Notice of Appeal and the extension of time fee is enclosed. If any fees are inadvertently omitted or if any additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/6165-10702/EBM

Respectfully submitted,

  
 Eric B. Meyertons  
 Reg. No. 34,876  
 Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
 P.O. BOX 398  
 AUSTIN, TX 78767-0398  
 (512) 853-8800 (voice) (512) 853-8801 (facsimile)  
 Date: June 13, 2009